

Message Text

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 7568

INFO AMEMBASSY PANAMA

AMEMBASSY CARACAS

AMEMBASSY BRASILIA

AMEMBASSY BOGOTA

AMEMBASSY SAN SALVADOR

AMEMBASSY GEORGETOWN

AMEMBASSY PARIS

AMCONSUL MARTINIQUE

UNCLAS MEXICO 3848

E.O. 11652: N/A

TAGS: EFIS, MX

SUBJ: INFORMATION RE FISHERY LAWS

REF: STATE 093577

1. MEXICO'S FISHERY LAW WHICH WENT INTO EFFECT ON JUNE 15, 1972 PROHIBITS COMMERCIAL FISHING BY FOREIGN FLAG VESSELS IN MEXICAN WATERS; THAT IS WITHIN THE 12 MILES. HOWEVER, IT ALLOWS SECRETARY OF INDUSTRY AND COMMERCE UNDER EXCEPTIONAL CIRCUMSTANCES TO ISSUE PERMITS TO FOREIGN VESSELS FOR EACH VOYAGE UNDER THE FOLLOWING REQUIREMENTS:

A) THAT THEY LEAVE MEXICAN WATERS AS SOON AS THE PERMIT EXPIRES.

B) THAT THEY DO NOT UNLOAD THE CATCH IN MEXICAN TERRITORY.

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C) THAT IT LIST FIFTY PERCENT OF THE CREW AS MEXICAN

NATIONALS.

D) THAT THE MEXICAN CREW HIRED IN MEXICO MUST RECEIVE SALARIES EQUAL TO THOSE PAID THE NATIONALS OF THE FLAG VESSEL.

E) THAT THEY ARE PROHIBITED FROM FISHING FOR SARDINES, ANCHOVIES AND FOR THE SPECIES RESERVED FOR COOPERATIVES. THESE SPECIES ARE ABALONE, LOBSTER, OYSTERS, SHRIMP, TOTOABA, CLAMS, MARINE TURTLES AND CABRILLA. ALSO IT IS NOT PERMITTED TO CATCH SARDINES FOR LIVE BAIT IN CERTAIN PROHIBITED ZONES. SPORT FISHING IS SPECIFICALLY EXCLUDED FROM THIS LAW.

2. HISTORICALLY THE MEXICAN GOVERNMENT HAS ISSUED FISHING LICENSES TO WEST COAST FISHERMAN THROUGH OFFICES IN SAN DIEGO AND SAN PEDRO. THREE BILATERAL MEETINGS WERE HELD WITH THE MEXICAN WITH TWO IN 1972 AND ONE IN 1973 TO DISCUSS THE IMPLICATIONS OF THE NEW LAW ON THE CONTINUED ISSUANCE OF SUCH LICENSES. IT WAS FINALLY AGREED, BUT NOT IN WRITING, THAT MEXICO WOULD CONTINUE TO ISSUE LICENSES FOR THE PACIFIC COAST BUT THAT TOTAL NUMBER OF LICENSES ISSUED IN ANY ONE YEAR COULD NOT EXCEED THE TOTAL NUMBER ISSUED IN 1971 WHICH WAS 151. IT WAS ALSO AGREED THAT ACCUMULATIVE TONNAGE OF THE LICENSES ISSUED SHOULD NOT EXCEED 5,264.

3. LICENSES ARE ISSUED TO THREE CATAGORIES OF VESSELS BASED ON TONNAGE. THE COST AND DURATION OF THE LICENSE IS ALSO BASED ON THE TONNAGE OF THE VESSEL. IT IS OUR UNDERSTANDING THAT 106 LICENSES WERE ISSUED IN 1974. THEY WERE ISSUED ON A FIRST COME, FIRST SERVED BASIS BUT WE BELIEVE THAT VIRTUALLY EVERYONE WHO WANTED A LICENSE WAS ABLE TO OBTAIN ONE. WE KNOW OF NO RESTRICTIONS ON THE TYPE OF GEAR.

4. INFORMATION ON 1975 SCHEDULE OF LICENSE FEES AND DURATION OF LICENSES IS NOT AVAILABLE AT THIS EMBASSY, BUT CAN BE OBTAINED FROM GERALD HOWARD, NMFS, REGIONAL DIRECTOR, TERMINAL ISLAND, CALIFORNIA.
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5. HISTORICALLY NO LICENSES HAVE BEEN ISSUED FOR THE GULF OF MEXICO. NONE HAVE BEEN ISSUED UNDER THE NEW LAW AND IS NOT ANTICIPATED THAT ANY WILL BE. IN THE CASE OF THE PACIFIC COAST WE DO NOT KNOW IF LICENSES HAVE BEEN ISSUED TO ANY OTHER THAN US. FLAG VESSELS.
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